

UNITED STATES DISTRICT COURT

District of  
MASSACHUSETTS

BARRY BROOKS, On Behalf of Himself  
and All Others Similarly Situated,  
Plaintiff

V.

BIOPURE CORPORATION, THOMAS A. MOORE,  
CARL W. RAUSCH and RONALD F. RICHARDS  
Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

TO: (Name and address of Defendant)

Person Designated to Accept Service  
Biopure Corporation  
11 Hurley Street  
Cambridge, MA

04-10077 NG

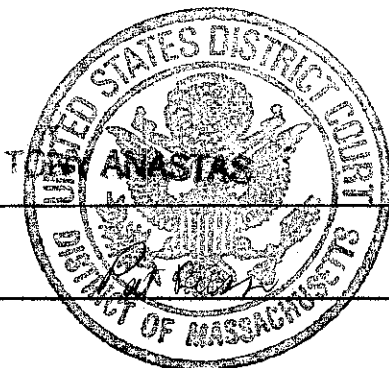
**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Peter A. Lagorio  
Gilman and Pastor LLP  
Stonehill Corporate Center  
999 Broadway, Suite 500  
Saugus, MA 01906

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

(By) DEPUTY CLERK



DATE

1-13-04

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	TITLE
Check one box below to indicate appropriate method of service	



I hereby certify and return that on 2/4/2004 at 9:35AM I served a true and attested copy of the SUMMONS AND COMPLAINT in this action in the following manner: To wit, by delivering in hand to CHRISTINE RICCARDI, agent, person in charge at the time of service for BIOPURE CORPORATION, at 11 HURLEY Street, Cambridge, MA. Attest (\$5.00), Basic Service Fee (\$30.00), Postage and Handling (\$1.00), Travel (\$1.28) Total Charges \$37.28

February 11, 2004

Michael A. Dorf

Deputy Sheriff

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date \_\_\_\_\_  
Signature of Server \_\_\_\_\_

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Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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